

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/714,887 )  
In re application of: HEARD, Jacqueline E. *et al.* )  
Filed: November 13, 2003 )  
Art Unit: 1638 )  
Examiner: KRUSE, David H. )  
Docket No. MBI-0058CIP )  
Customer No. 47550 )

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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT**

Sir:

This response is to the Restriction Requirement of April 13, 2006 and to the Office action of 25 July 2007.

Applicants hereby elect Invention II, drawn to a transgenic plant comprising a recombinant polynucleotide encoding a polypeptide that regulates abiotic stress tolerance in a plant. The present claims reflect an invention that is not distinct from the invention that was previously claimed or are amended, and the claims may be more narrow than previously claimed.

Applicants also elect the G922 polynucleotide and polypeptide sequences, listed as polynucleotide SEQ ID NO: 3 and its encoded polypeptide, SEQ ID NO: 4 in the Sequence Listing.

Entry of these amendments is respectfully requested. After entry of the present amendments, the products of the claims will share a common structural feature (SEQ ID NO: 3 and/or encoded polypeptide SEQ ID NO: 4). The election is made without traverse.

Please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims begin on page 3 of this paper.

Remarks begin on page 5 of this paper.